

Remarks

In this response, Claim 27 has been cancelled without prejudice to the filing of continuing applications. Claims 46, 49, and 50 stand withdrawn.

Claims 1, 18, 19, 20, 21, 22, 24, 28, and 30 39 have been amended. All the amendments are supported by the original claims and specification. The amendment to claim 30 merely addresses a clerical error. No new matter is added herein.

The amended claims are all now within the scope of the elected invention. Further, the amended claims overcome the rejections based on the second paragraph of 35 U.S.C. § 112. Although Applicants submit that the claims, in particular claims 19 and 21-25, prior to amendment were clear and understandable to those of ordinary skill in the art, the claims have been amended to more distinctly claim the invention. As amended, there is no question that those skilled in the art will understand these claims. Applicants respectfully submit that specifically defining the values of R_{13} , R_{14} , R_{15} , and R_{16} would unnecessarily add to the length of the claims without adding to their clarity. Applicants also submit that those of skill in the art would understand that any specific substituent, e.g., R_{13} , can only represent one group, such as one fluoro or one nitro. Thus, for example, the phrase " R_{13} , R_{14} , R_{15} and R_{16} , in combination, represent ... (c) one hydrogen atom and two fluoro

or two methyl with one hydroxy or one (C₁-C₆)alkoxy" means that one of the R₁₃-R₁₆ groups is hydrogen and the remaining groups are either (a) two fluorines and (i) one hydroxy or (ii) one alkoxy, or (b) two methyl groups and (i) one hydroxy or (ii) one alkoxy. Specific definitions of the R₁₃-R₁₆ groups are not necessary in these claims. The claims are clear and meet the requirements of § 112. Applicants respectfully request reconsideration and withdrawal of the § 112 rejections.

Should the Examiner believe that a discussion of this matter would be helpful, she is invited to telephone the undersigned at (312) 913-0001.

Respectfully submitted,

By:



Steven J. Sarussi
Reg. No. 32,784

Dated: September 9, 2005

McDONNELL BOEHNEN,
HULBERT & BERGHOFF LLP
300 South Wacker Drive
Chicago, Illinois 60606
(312) 913-0001